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*Attorneys for Defendant  
Gene Yup*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

JOHN D. REDMAN,

Plaintiff,

v.

R. ARANAS, et al.,

Defendants

Case No. 3:17-cv-00551-RCJ-CBC

**DEFENDANT'S MOTION FOR EXTENSION  
OF TIME TO FILE A RESPONSIVE  
PLEADING  
(FIRST REQUEST)**

Defendant Gene Yup, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Darby G. Phelps, Deputy Attorney General, hereby file Defendant's Motion for Extension of Time to File a Responsive Pleading. This Motion is based on Federal Rule of Civil Procedure 6(b)(1)(A), the following Memorandum of Points and Authorities, and all papers and pleadings on file in this action.

**MEMORANDUM OF POINTS AND AUTHORITIES**

Plaintiff filed a Motion for Leave to File 3<sup>rd</sup> Amended Complaint ("Plaintiff's Motion") on February 6, 2019. ECF No. 20. Defendant filed Defendant's Non-Opposition to Plaintiff's Motion for Leave to File a Third Amended Complaint on February 19, 2019. ECF No. 22. The Court has not yet issued a decision on Plaintiff's Motion. Defendant's responsive pleading to Plaintiff's Second Amended Complaint is due March 25, 2019. Defendant requests a ten (10) day extension of time with which to file a responsive pleading from either (1) the date the Court enters an order denying Plaintiff's Motion, or (2) the date the Court enters a screening order on the proposed Third Amended Complaint.

1 Federal Rule of Civil Procedure 6(b)(1) governs extensions of time and provides as follows:

2 When an act may or must be done within a specified time, the court may,  
3 for good cause, extend the time: (A) with or without motion or notice if  
4 the court acts, or if a request is made, before the original time or its  
extension expires; or (B) on motion made after the time has expired if the  
party failed to act because of excusable neglect.

5 Defendant's request is timely and its limited nature will not hinder or prejudice Plaintiff's case.

6 In light of the pendency of Plaintiff's Motion, Defendant respectfully requests a ten (10) day  
7 extension of time with which to file a responsive pleading from either (1) the date the Court enters an  
8 order denying Plaintiff's Motion, or (2) the date the Court enters a screening order on the proposed  
9 Third Amended Complaint.

10 DATED this 25<sup>th</sup> day of March, 2019.

11 AARON D. FORD  
12 Attorney General

13 By:



14 DARBY G. PHELPS  
15 Deputy Attorney General  
16 State of Nevada  
17 Bureau of Litigation  
18 Public Safety Division

*Attorneys for Defendant*

19 IT IS SO ORDERED

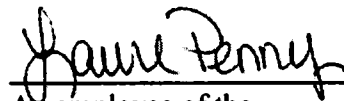
20   
21 U.S. MAGISTRATE JUDGE

22 DATED 3/26/2019  
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**CERTIFICATE OF SERVICE**

I certify that I am an employee of the Office of the Attorney General, State of Nevada, and that on this 25<sup>th</sup> day of March, 2019, I caused to be served a copy of the foregoing, **DEFENDANT'S MOTION FOR EXTENSION OF TIME TO FILE A RESPONSIVE PLEADING (FIRST REQUEST)**, by U.S. District Court CM/CEF Electronic Filing on:

John D. Redman, #1081653  
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Office of the Attorney General